

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3183, Energy and Water Appropriations Act.

Senate

Chamber Action

Routine Proceedings, pages S8215–S8500

Measures Introduced: Ten bills and five resolutions were introduced, as follows: S. 1530–1539, and S. Res. 226–230. **Pages S8271–72**

Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution, Fiscal Year 2010”. (S. Rept. No. 111–62)

S. 1533, to provide an extension of public transportation programs authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. (S. Rept. No. 111–61)

Report to accompany S.J. Res. 17, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. (S. Rept. No. 111–63) **Page S8269**

Measures Passed:

Energy and Water Appropriations Act: By 85 yeas to 9 nays (Vote No. 248), Senate passed H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, as amended, after taking action on the following amendments proposed thereto: **Pages S8216–8263**

Adopted:

Reid Amendment No. 1846 (to Amendment No. 1813), to modify provisions relating to the Department of the Interior. **Pages S8216, S8221**

Dorgan Amendment No. 1844 (to Amendment No. 1813), to provide a technical correction to a Corps of Engineers project. **Pages S8221–22**

Dorgan Amendment No. 1845 (to Amendment No. 1813), to provide transfer authority for the Corps of Engineers and the Bureau of Reclamation. **Pages S8221–22**

Dorgan Amendment No. 1855 (to Amendment No. 1813), to require all agencies to include a separate category for administrative expense when submitting their appropriation requests to the Office of Management and Budget for fiscal year 2011 and each fiscal year thereafter. **Pages S8234–35**

Sanders Amendment No. 1903 (to Amendment No. 1813), to provide additional amounts for technical assistance grants. **Pages S8243–44**

Coburn Modified Amendment No. 1878 (to Amendment No. 1813), to require public disclosure of reports required in appropriations bills. **Page S8245**

By 79 yeas to 18 nays (Vote No. 246), Dorgan/Bennett Amendment No. 1895 (to Amendment No. 1813), to provide requirements regarding the authority of the Department of Energy to enter into certain contracts. **Pages S8244, S8250–51**

Hutchison Modified Amendment No. 1864 (to Amendment No. 1813), of a perfecting nature. **Pages S8251–52**

Dorgan (for Boxer/Feinstein) Modified Amendment No. 1859 (to Amendment No. 1813), to permit certain water transfers. **Pages S8253–59**

Dorgan (for Merkley) Modified Amendment No. 1867 (to Amendment No. 1813), to clarify that the Secretary of Energy is required to consider low-risk finance programs that substantially reduce or eliminate upfront costs for building owners to renovate or retrofit existing buildings to install energy efficiency or renewable energy technologies as eligible for certain loan guarantees. **Page S8253**

Dorgan (for Tester) Amendment No. 1842 (to Amendment No. 1813), to extend the period for offering certain leases for cabin sites at Fort Peck Lake, Montana. **Page S8253**

Dorgan (for Landrieu/Vitter) Modified Amendment No. 1888 (to Amendment No. 1813), to require the Secretary of the Army to conduct a study

of the residual risks associated with the options relating to the project for permanent pumps and closure structures, Lake Pontchartrain, Louisiana.

Page S8253

Dorgan (for Kaufman/Carper) Amendment No. 1891 (to Amendment No. 1813), to prevent Federal preemption of the planning processes of the State of Delaware regarding the Delaware River Main Channel Deepening Project.

Page S8250

Dorgan (for Kyl/Collins) Amendment No. 1892 (to Amendment No. 1813), to prohibit funds appropriated for the Strategic Petroleum Reserve from being made available to any person that has engaged in certain activities with respect to the Islamic Republic of Iran.

Pages S8253–54

Nelson (FL)/Martinez Amendment No. 1852 (to Amendment No. 1813), to provide for the Federal share of the cost of Ten Mile Creek Water Preserve Area.

Page S8259

Nelson (FL)/Martinez Modified Amendment No. 1893 (to Amendment No. 1813), to ensure that previously appropriated funding for the Tampa Harbor Big Bend Channel project is used for the original intended purpose of the funding and not reprogrammed.

Pages S8259–62

Dorgan Amendment No. 1813, in the nature of a substitute.

Page S8216

Rejected:

By 35 yeas to 62 nays (Vote No. 245), Coburn Amendment No. 1879 (to Amendment No. 1813), to reduce the appropriation for Departmental Administration of the Department of Energy so that the Department can set an example for all Americans by reducing unnecessary energy usage.

Pages S8244–50

By 26 yeas to 71 nays (Vote No. 247), Coburn Amendment No. 1884 (to Amendment No. 1813), to prohibit no bid contracts by requiring the use of competitive procedures to award contracts and grants funded under this Act.

Pages S8245–46, S8251

During consideration of this measure today, Senate also took the following action:

By 38 yeas to 59 nays (Vote No. 244), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 302(f) of the Congressional Budget Act of 1974, with respect to Alexander Amendment No. 1862 (to Amendment No. 1813), to limit disbursement of additional funds under the Troubled Asset Relief Program to certain automobile manufacturers, to impose fiduciary duties on the Secretary of the Treasury with respect to shareholders of such automobile manufacturers, to require the issuance of shares of common stock to eligible taxpayers which represent the common stock to eligible taxpayers which represent the common stock holdings of the United States Government in such

automobile manufacturers. Subsequently, the point of order that the amendment would increase mandatory spending, was sustained, and the amendment thus fell.

Pages S8216, S8223–25

Chair sustained a point of order against Nelson (NE) Amendment No. 1874 (to Amendment No. 1813), to express the sense of the Senate that the investment by the Federal Government in the automotive industry of the United States is temporary, as being in violation of rule XVI of the Standing Rules of the Senate, pursuant to the precedent of May 17, 2000 (Lott Precedent), which prohibits legislation on an appropriation bill, and the amendment thus fell.

Pages S8222–23, S8227

Chair sustained a point of order against Corker Modified Amendment No. 1865 (to Amendment No. 1813), to authorize the Secretary of the Treasury to delegate management authority over troubled assets purchased under the Troubled Asset Relief Program, to require the establishment of a trust to manage assets of certain designated TARP recipients, as being in violation of rule XVI of the Standing Rules of the Senate, which prohibits legislation on an appropriation bill, and the amendment thus fell.

Pages S8217–21, S8227

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Dorgan, Byrd, Murray, Feinstein, Johnson, Landrieu, Reed, Lautenberg, Harkin, Tester, Inouye, Bennett, Cochran, McConnell, Bond, Hutchison, Shelby, Alexander, and Voinovich.

Page S8263

National Direct Support Professionals Recognition Week: Senate agreed to S. Res. 228, designating the week beginning September 14, 2009, as “National Direct Support Professionals Recognition Week”.

Page S8499

National Historically Black Colleges and Universities Week: Senate agreed to S. Res. 229, designating the week beginning August 30, 2009, as “National Historically Black Colleges and Universities Week”.

Pages S8499–S8500

Richard A. Baker, Historian Emeritus of U.S. Senate: Senate agreed to S. Res. 230, designating Richard A. Baker as Historian Emeritus of the United States Senate.

Page S8500

Highway Trust Fund Act—Agreement: A unanimous-consent-time agreement was reached providing that on Thursday, July 30, 2009, at a time to be determined by the Majority Leader, following consultation with the Republican Leader, Senate begin consideration of H.R. 3357, to restore sums to the

Highway Trust Fund, and that when the bill is considered, it be considered under the following limitations: that there be general debate of 20 minutes equally divided and controlled in the usual form, with the time under the control of the two Leaders, or their designees; that the only amendments in order be the following and that debate time on each amendment be limited to 60 minutes equally divided and controlled in the usual form; that no other amendments be in order; that upon disposition of the listed amendments, the bill, as amended, if amended, be read a third time, and Senate vote on passage of the bill: Ensign amendment relative to unemployment benefits; Bond amendment relative to SAFETEA-LU; Vitter amendment relative to highway trust fund; and DeMint amendment relative to offset ui/highway/housing substitute; provided further, that upon disposition of the bill, Senate begin consideration of H.R. 2997, Agriculture, Rural Development, Food and Drug Administration and Related agencies programs; that once the bill is reported, Senator Kohl be recognized to offer a substitute amendment, which is the text of the Senate committee reported bill, S. 1406. **Page S8262**

Nominations Received: Senate received the following nominations:

Robert D. Hormats, of New York, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development.

1 Marine Corps nomination in the rank of general.

Page S8500

Messages from the House: **Page S8268**

Measures Referred: **Page S8268**

Executive Communications: **Pages S8268–69**

Executive Reports of Committees: **Pages S8269–71**

Additional Cosponsors: **Pages S8272–74**

Statements on Introduced Bills/Resolutions:
Pages S8274–79

Additional Statements: **Pages S8267–68**

Amendments Submitted: **Pages S8279–86**

Authorities for Committees to Meet: **Page S8286**

Privileges of the Floor: **Page S8286**

Text of H.R. 2647 as Previously Passed:

Pages S8287–S8499

Record Votes: Five record votes were taken today. (Total—248) **Pages S8225, S8250, S8251, S8251, S8263**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:57 p.m., until 9:30 a.m. on Thursday, July 30, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8500.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies approved for full committee consideration an original bill making appropriations for Transportation, Housing and Urban Development for fiscal year 2010.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 5,946 nominations in the Army, Navy, Air Force, and Marine Corps.

PUBLIC CONFIDENCE IN CORPORATE GOVERNANCE

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment concluded a hearing to examine protecting shareholders and enhancing public confidence by improving corporate governance, after receiving testimony from Meredith B. Cross, Director, Division of Corporation Finance, United States Securities and Exchange Commission; John C. Coates IV, Harvard Law School, Cambridge, Massachusetts; and Ann Yerger, Council of Institutional Investors, John Castellani, Business Roundtable, J.W. Verret, George Mason University School of Law, and Richard Ferlauto, American Federation of State, County and Municipal Employees, all of Washington, D.C.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Christopher P. Bertram, of the District of Columbia, to be Assistant Secretary for Budget and Programs, and Chief Financial Officer, who was introduced by Senator Thune, Daniel R. Elliott, III, of Ohio, to be a Member of the Surface